

**SUPREME COURT MINUTES
MONDAY, JULY 21, 2003
SAN FRANCISCO, CALIFORNIA**

S105225

F037295 Fifth Appellate District

PEOPLE v. FLOYD

Opinion filed: Judgment affirmed in full

Majority Opinion by Baxter, J.,
--- joined by George, C.J., Kennard,
Werdegar, Chin and Moreno, JJ.
Dissenting Opinion by Brown, J.

S108459E030573 Fourth Appellate District,
Division Two

L. (MAKAYLA), IN RE

Petitions for review denied

S104157G026525 Fourth Appellate District,
Division Three

HAMEID v. NATIONAL FIRE INSURANCE

Time extended to consider modification or rehearing

The time for granting or denying rehearing in
the above-entitled case is hereby extended to
and including October 1, 2003, or the date
upon which rehearing is either granted or
denied, whichever occurs first.

S021054

PEOPLE v. MOON (RICHARD R.)

Extension of time granted

to September 22, 2003 to file reply brief.

S030553

PEOPLE v. WILLIAMS (GEORGE)

Extension of time granted

to September 12, 2003 to file appellant's
opening brief. No further extensions of time
are contemplated. Counsel is ordered to
inform his or her assisting attorney or entity, if
any, and any assisting attorney or entity of any
separate counsel of record, of this schedule,
and to take all steps necessary to meet it.

S054291

PEOPLE v. LEONARD (ERIC)
Extension of time granted

to September 22, 2003 to file appellant's opening brief. After that date, only one further extension totaling about 40 additional days will be granted. Extension granted based upon counsel Wesley Van Winkle's representation that he anticipates filing the AOB by 11-1-2003.

S055474

PEOPLE v. PERRY (CLIFTON)
Extension of time granted

to September 16, 2003 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S058092

PEOPLE v. HARRIS (MAURICE)
Extension of time granted

to September 19, 2003 to file respondent's brief.

S073316

PEOPLE v. EDWARDS (ROBERT)
Extension of time granted

to September 22, 2003 to request correction of the record. After that date, only one further extension of time totaling about 100 additional days will be granted. Extension granted based upon counsel Michael Abzug's past representation that he anticipates filing the request for correction by 11-30-2003. Counsel for appellant is ordered to serve a copy of the record correction motion on this court upon its filing in the superior court.

S110988

MARKS (DELANEY G.) ON H.C.
Extension of time granted

to August 13, 2003 to file reply to informal response. After that date, only three further extensions totaling about 90 additional days will be granted. Extension granted based upon counsel Gary Soward's representation that he anticipates filing the document by 11-14-2003.

S111494

D037680 Fourth Appellate District,
Division One

PEOPLE v. KONOW (CAROLYN) et al.
Extension of time granted

to August 11, 2003 to file respondent's (Carolyn Konow) reply brief on the merits.

to August 11, 2003 to file respondent's (Steven Rohrer) reply brief on the merits.

to August 11, 2003 to file respondent's (Amy Toosley) reply brief on the merits.

S112505

B161777 Second Appellate District,
Division Four

ROBERTS (ORLANDO) ON H.C.
Extension of time granted

to July 28, 2003 to file respondent's answer brief on the merits.

S112624

B143162 Second Appellate District,
Division Five

LEWIS JORGE CONSTRUCTION v. POMONA
UNIFIED SCHOOL DISTRICT
Extension of time granted

to August 27, 2003 to file respondent's reply brief on the merits.

S114715

B151534 Second Appellate District,
Division Seven

FLETCHER v. DAVIS
Extension of time granted

Appellant's brief shall be filed 7 days after the final opening brief is filed.

S115061

CLARK (DOUGLAS DANIEL) ON H.C.
Extension of time granted

to July 29, 2003 to file informal response.
After that date, no further extension will be
granted. Extension granted based upon
Deputy Attorney General Robert Henry's
representation that he anticipates filing the
document by 7-29-2003.

S115079

DICKEY (COLIN RAKER) ON H.C.
Extension of time granted

to August 15, 2003 to file informal response.
After that date, no further extension will be
granted. Extension granted based upon
Supervising Deputy Attorney General J.
Robert Jibson's representation that he
anticipates filing the document by 8-15-2003.

S115894

STITELY (RICHARD) ON H.C.
Extension of time granted

to August 20, 2003 to file informal response.
After that date, only three further extensions
totaling about 90 additional days will be
granted. Extension granted based upon
Deputy AG Peggie Tarwater's representation
that she anticipates filing the document
by 11-17-2003.

S116805

CAIN (TRACY DEARL) ON H.C.
Extension of time granted

to August 20, 2003 to file informal response.

S117290

C044242 Third Appellate District

MOORE v. S.C. (PEOPLE)
Extension of time granted

to July 28, 2003 to real party in interest to file
the answer to petition for review.
Petitioner may then serve and file a reply to

the answer on or before July 31, 2003.
No further extensions of time are
contemplated.

S114803

SAMBOL ON DISCIPLINE
Recommended discipline imposed

It is ordered that **CHARLES MATT SAMBOL, State Bar No. 114570**, be suspended from the practice of law for five years, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for three years and until he takes and passes the Multistate Professional Responsibility Examination as recommended by the Hearing Department of the State Bar Court in its decision filed on February 5, 2003; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California; and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for termination of his actual suspension. It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.
*(See Bus. & Prof. Code, § 6126, subd. (c).)

S115563

BRONSON ON DISCIPLINE

Recommended discipline imposed: disbarred

It is hereby ordered that **STEVEN CHARLES BRONSON, State Bar No. 162852**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S115567

FALCON ON DISCIPLINE

Recommended discipline imposed

It is ordered that **JUAN FALCON, State Bar No. 177400**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed March 20, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2004 and 2005.

S115570

MARTINEZ ON DISCIPLINE

Recommended discipline imposed: disbarred

It is hereby ordered that **VICTOR STEPHEN MARTINEZ, State Bar No. 90504**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar. *(See Bus. & Prof. Code, § 6126, subd. (c).)

S115572

KURTISS ON DISCIPLINE

Recommended discipline imposed

It is ordered that **PETER JOHN KURTISS, State Bar No. 159237**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 90 days, as recommended by the Hearing Department of the State Bar Court in its decision filed on February 10, 2003 ; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. **Peter John Kurtiss** is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If **Peter John Kurtiss** is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that **Peter John Kurtiss** take and pass the Multistate Professional Responsibility Examination within one year after the

effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that **Peter John Kurtiss** comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S115575

MCLEOD ON DISCIPLINE

Recommended discipline imposed: disbarred

It is hereby ordered that **DANIEL DONALD MCLEOD, State Bar No. 127210**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys.

Daniel Donald McLeod is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S115577

RIEDEL ON DISCIPLINE

Recommended discipline imposed

It is ordered that **BARRY WILLIAM RIEDEL, State Bar No. 77898**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation, including restitution, recommended by the

Hearing Department of the State Bar Court in its order approving stipulation filed March 17, 2003. Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 2004 and 2005. (Bus. & Prof. Code § 6086.10.)

S116621**WROBEL ON RESIGNATION**

The voluntary resignation of **BRIAN J R K WROBEL, State Bar No. 73677**, as a member of the State Bar of California is accepted.

S117043**RIVERS ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **JONATHAN DAVID RIVERS, State Bar No. 161235**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S117046**WEEDE ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **CHARLES DAVIS WEEDE, JR., State Bar No. 51778**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of

Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S117540

HAHN ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **Thomas Glen Hahn**, **State Bar No. 55041**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S117541

MERLINO ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **Ronald Frank Merlino**, **State Bar No. 44580**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)